U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-110-2012-0013-EA

CASEFILE/PROJECT NUMBER: COC-65818
COC75193 (access road ROW)

PROJECT NAME: Mesa Energy 29-12-397 Well

LEGAL DESCRIPTION: T3N-R97W-Sec.29-NWSW

APPLICANT: Mesa Energy Partners LLC

The purpose of the Proposed Action is to manage the exploration and development of mineral resources on Public Lands in a manner that avoids, minimizes, reduces, or mitigates potential impacts to other resource values.

Decision to be Made: The Bureau of Land Management (BLM) will decide whether or not to approve the Application for Permit to Drill (APD), and if so, under what conditions.

SCOPING, PUBLIC INVOLVEMENT, AND ISSUES:

Scoping: Scoping was the primary mechanism used by the BLM to initially identify issues. Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 11/14/2011. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 11/15/2011.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction: The onsite was conducted on 9/7/2011. The original pad site was in saline soils and also where three drainages come together to contribute stormwater flow to a drainage. Evidence of recent stormwater flow in this drainage and instability of soils were reasons to request a move to the current pad location. The APD and fee were received 11/4/11. Raptor and cultural surveys, as well as detailed road designs have been received to fulfill the survey requirements associated with processing the application.

Proposed Action:

Mesa Energy Partners LLC (Mesa, the operator) proposes to construct a 5.2 acre well pad and a 620 ft (0.8 acres) road to be paralleled with buried natural gas flow and produced water lines. The pipeline corridor at 760 ft long would be slightly longer (by 0.1 acres) than the road since it would begin at the meter house on the proposed pad, continue to parallel the 620 ft proposed road, and then cross under the road to tie into existing pipeline infrastructure. A 50 ft right-of-way (ROW) would be allowed to construct the access road and pipeline trench.

A total of 6.1 acres of surface disturbance would initially result with the implementation of the Proposed Action. The area of the well pad not needed for production would be reclaimed within six months of well completion and/or plugging, reducing the surface disturbance of the well pad to one acre. The sides of the access road would be immediately stabilized after its 16 ft running surface is used to install the pipeline. Approximately 1.2 acres of surface disturbance would be visible in the leased area for the life of the project. Following well abandonment, the operator proposes to reclaim all disturbed surfaces to pre-disturbance conditions. Table 1 shows the area of surface disturbance for each phase of the project.

The proposed well site would be accessed using BLM Road 1509, which would require road upgrades to comply with BLM Road Manual 9113 standards. Detailed road improvements to be implemented along the BLM Road 1509 can be reviewed in the operator's SUPO.

Table 1. Acres Disturbance at Various Phases of Proposed Development.

	Well Pad	Road	Pipeline	Total Anticipated Disturbance
During construction and drilling	5.2	0.8	0.1	6.1
After interim reclamation	1	0.2	0	1.2
After final reclamation	0	0	0	0

No Action Alternative: The proposed access road, pipeline, and well pad would not be constructed and drilled, and Mesa Energy's Lease COC-65818 would expire on 3/31/2012.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: White River Record of Decision and Approved Resource Management Plan (White River ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-5

Decision Language: "Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values."

AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

Standards for Public Land Health: In January 1997, the Colorado BLM approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, special status species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis (EA). These findings are located in specific elements listed below.

Cumulative Effects Analysis Assumptions: Cumulative effects are defined in the Council on Environmental Quality (CEQ) regulations (40 CFR 1508.7) as "...the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions." Table 2 lists the past, present, and reasonably foreseeable future actions within the area that might be affected by the Proposed Action; for this project the area considered was the Natural Resources Conservation Service (NRCS) 5th Level Watershed. However, the geographic scope used for analysis may vary for each cumulative effects issue and is described in the Affected Environment section for each resource.

Table 2. Past, Present, and Reasonably Foreseeable Actions

Action Description	STATUS		
	Past	Present	Future
Livestock Grazing	X	X	X
Wild Horse Gathers	X	X	X
Recreation	X	X	X
Invasive Weed Inventory and Treatments	X	X	X
Range Improvement Projects : Water Developments Fences & Cattleguards	X	X	X
Wildfire and Emergency Stabilization and Rehabilitation	X	X	X
Wind Energy Met Towers			X
Oil and Gas Development: Well Pads Access Roads Pipelines Gas Plants Facilities	X	X	X
Power Lines	X	X	X
Seismic	X	X	X
Vegetation Treatments	X	X	X

Affected Resources:

The CEQ Regulations state that NEPA documents "must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail" (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is

necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. Table 3 lists the resources considered and the determination as to whether they require additional analysis.

Table 3. Resources and Determination of Need for Further Analysis

Determination[1]	Resource	Rationale for Determination
Physical Resources		
PI	Air Quality	See discussion below.
PI	Geology and Minerals	The Proposed Action would intersect subsurface resources and would have the potential to deplete oil and gas in the targeted zones (See discussion below).
PI	Soil Resources*	See discussion below.
PI	Surface and Ground Water Quality*	See discussion below.
Biological Resources		
NP	Wetlands and Riparian Zones*	There are no systems that support riparian vegetation that would have the potential to be influenced by the Proposed Action. Crooked Wash, the nearest system which supports riparian vegetation, is separated from the proposed location by approximately one mile of ephemeral channel.
PI	Vegetation*	See discussion below.
PI	Invasive, Non-native Species	See discussion below.
PI	Special Status Animal Species*	See discussion below.
NP	Special Status Plant Species*	There are no special status plant species known to occur near the Proposed Action.
PI	Migratory Birds	See discussion below.
NP	Aquatic Wildlife*	There are no systems that support aquatic wildlife or provide habitat for aquatic species that would have the potential to be influenced by the Proposed Action. Crooked Wash, the nearest system which supports higher order aquatic vertebrate species, is separated from the proposed location by approximately one mile of ephemeral channel.
PI	Terrestrial Wildlife*	See discussion below.
NP	Wild Horses	There are no Herd Management Areas (HMAs) or Herd Areas (HA) present near the project area.
Heritage Resources and the Human Environment		
NP	Cultural Resources	The proposed location and access have been inventoried at the Class III (100 Percent pedestrian) level (Mills 2011 compliance dated 1/30/2011) with no resources identified on the surface.
PI	Paleontological Resources	See discussion below.
NP	Native American Religious Concerns	No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should

Determination[1]	Resource	Rationale for Determination
		recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.
PI	Visual Resources	See discussion below.
PI	Hazardous or Solid Wastes	There is potential for hazardous or solid wastes to be generated during construction, drilling, and production of the proposed well.
NI	Fire Management	Proposed Action is within a B-4 Polygon where aggressive suppression actions will be taken upon initial attack.
NI	Social and Economic Conditions	There would not be any substantial changes to local social or economic conditions.
NP	Environmental Justice	According to the most recent Census Bureau statistics, there are no minority or low income populations within the WRFO.
Resource Uses		
NP	Forest Management	There are no woodland communities that will be affected by the Proposed Action. If any woodland species must be removed during construction, save and use large woody material for reclamation.
PI	Rangeland Management	See discussion below.
NI	Floodplains, Hydrology, and Water Rights	There are no floodplains that will be impacted by the project. Drainage patterns around the pad site and the improved access roads have been considered in the designs submitted with the surface use plan. Mesa Energy has disclosed that Willams and/or EnCana will be the freshwater providers and has described the water rights that may be used. Therefore no impacts are expected to these resources.
PI	Realty Authorizations	See discussion below.
PI	Recreation	See discussion below.
PI	Access and Transportation	See discussion below.
NP	Prime and Unique Farmlands	There are no Prime and Unique Farmlands within the project area.
Special Designations		
NP	Areas of Critical Environmental Concern (ACEC)	There are no ACECs in proximity of the Proposed Action.
NP	Wilderness	There are no Wilderness Study Areas (WSAs) in the project area.
NP	Wild and Scenic Rivers	There are no Wild and Scenic Rivers in the WRFO.
NP	Scenic Byways	There are no Scenic Byways within the project area.

[1] NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.
* Public Land Health Standard

AIR QUALITY

Affected Environment: The Proposed Action is an attainment area for national and state air quality standards, based on a review of designated non-attainment areas for criteria pollutants published by the Environmental Protection Agency (EPA 2011). The Proposed Action is also located more than 10-miles from any special designation airsheds or non-attainment areas. Non-attainment areas are areas designated by U.S. Environmental Protection Agency (EPA) as having air pollution levels that persistently exceed the national ambient air quality (NAAQ) standards. Projects that could impact special designation areas and/or non-attainment areas may require special consideration from the Colorado Department of Public Health and Environment (CDPHE) and the EPA. The closest special designation areas are Dinosaur National Monument which is located northwest of the project area (designated Class II airshed with Prevention of Significant Deterioration (PSD) with thresholds for sulfur oxides and visibility), and the Mount Zirkel and Flat Tops Wilderness Areas located to north and east of the Proposed Action (designated Class I areas). The closest non-attainment area in Colorado is near Denver on the Front Range. General conformity regulations require that federal activities do not cause or contribute to a new violation of NAAQ standards; that actions do not cause additional or worsen existing violations of the NAAQ standards; and that attainment of these standards is not delayed by federal actions in non-attainment areas.

The Proposed Action is in Rio Blanco County within the Western Counties Monitoring Region of Colorado (APCD 2010). Local air quality parameters including particulates are measured at monitoring sites located at Meeker, Rangely, Dinosaur, and Ripple Creek Pass near the Flat Tops Wilderness Area. Ozone data have been collected in Meeker and Rangely since 2010 and at Colorado National Monument in Mesa County since 2007. To a limited extent ozone is also measured at Dinosaur National Monument. The closest location for an Interagency Monitoring of Protected Visual Environments (IMPROVE) site is near the Flat Tops Wilderness, northeast of the Project Area. IMPROVE sites measure visibility impairment from air borne particles.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would result in low and short-term impacts on air quality during construction, drilling, completion, and to a lesser extent, from vehicles, gas processing, and compression facilities during the production phase. Increases in the following criteria pollutants would occur due to combustion of fossil fuels during construction activities: carbon monoxide, ozone (secondary pollutant formed photochemically from volatile organic compounds (VOCs) and nitrogen oxides (NOx)), nitrogen dioxide, and sulfur dioxide. Three ozone advisories were issued in February and March of 2011 for Rio Blanco County (CAQCC 2011) based on data collected from the Rangely monitoring site showing one hour and eight hour exceedance of NAAQ criteria, but did not lead to a violation of NAAQ standards. Ozone above the one hour and eight hour criteria can cause breathing difficulties and respiratory infections especially in the elderly, the young and those with pre-existing ailments such as asthma.

Additional low, short-term impacts to air quality may occur due to venting or flaring of gas from the wells and VOCs from pits and tanks during completion activities. Venting and/or flaring of natural gas is typically done for short periods of time in order to determine potential production amounts and characterize the quality of the gas. If the exploratory wells are successful, VOCs

including hazardous air pollutants (HAPs) commonly associated with oil and gas production (benzene, toluene, ethylbenzene, xylene, and n-hexane) would be released from tanks and separation equipment, and due to transportation of natural gas, produced water and condensate by pipeline or trucks. The amount of these releases are difficult to estimate, but would be within CDPHE air permit limits estimated in tons per year. Non-criteria pollutants (NAAQ standards have not been set for non-criteria pollutants), such as nitric oxide, air toxics (e.g. benzene), and total suspended particulates may experience slight, temporary increases as a result of the Proposed Action.

Soil disturbance resulting from construction, heavy equipment, and drill rigs is expected to cause increases in fugitive dust and inhalable particulate matter, specifically particulate matter (PM) 10 microns (μm) or less in diameter (PM_{10}) and particles 2.5 μm or less in diameter ($PM_{2.5}$). Particulate matter is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. More than 70 percent of PM_{10} (coarse particles) is created from windblown dust and soil from roads, fields, and construction sites. A smaller percentage of coarse particles comes from automobile and diesel engine exhaust, soot from wood fires, and sulfates and nitrates from combustion sources such as industrial boilers (CAQCC 2011). Dust production is most likely to occur during the construction and drilling phases, especially when conditions are dry and/or windy. Particulate matter is the major contributor to reductions in visibility, due to their ability to scatter or absorb light. Particulate matter can also have human health impacts.

Fugitive dust emissions would likely cause low, short-term impacts to local air quality, specifically visibility. Once the wells go into interim reclamation, topsoil removed during road construction would be redistributed and stabilized alongside the road and the pads would also be recontoured and stabilized. As vegetation establishes in the reclaimed areas, dust production would occur only when vehicles travel on the access roads to service the wells. The increase in airborne particulate matter from this project is not expected to exceed Colorado ambient air quality (CAAQ) or NAAQ standards on an hourly, eight-hour average, or daily basis.

In summary, soil disturbance resulting from construction of pads and roads and drilling is expected to cause increases in fugitive dust and inhalable particulate matter in the project area and immediate vicinity, and may contribute to reductions in regional visibility. In addition, increases in the following criteria pollutants: carbon monoxide, VOCs, ozone, nitrogen dioxide, and sulfur dioxide would also occur due to combustion of fossil fuels during exploration and production activities. Non-criteria pollutants such as carbon dioxide, methane and nitrous oxides, air toxics (e.g. benzene), total suspended particulates (TSP), and increased impacts to visibility and atmospheric deposition may also increase as a result of the Proposed Action. Even with these increased pollutants the Proposed Action is unlikely to result in an exceedance of NAAQ and CAAQ standards, and is likely to comply with applicable PSD increments and other significant impact thresholds.

Cumulative Effects: The Proposed Action is in the two-county area (Rio Blanco and Garfield Counties); principal air pollution sources include emissions from motor vehicles, oil and gas development, coal-fired power plants, coal mines, sand and gravel operations, windblown dust, and wildfires and prescribed burns (CAQCC 2010). Facility emissions in the two-county

area are dominated by emissions related to oil and gas exploration, processing, or transportation. Due to these emission sources in the Piceance, White River and in the nearby Unita and Yampa River Basins, VOCs, nitrogen oxides, and dust (particulate matter) are likely to increase into the future. However, with the exception of ozone, overall air quality conditions in the White River Basin are likely to continue to be in attainment of NAAQ standards due to effective atmospheric dispersion. Ozone levels may increase in localized area and are influenced by emissions in the White River Basin as well as from the nearby Unita and Yampa River basins. Data collected in Dinosaur, Meeker and Rangely have measured exceedance in standards for 1-hour and 8-hour values for ozone (120 ppb and 75 ppb, respectively). To date, these exceedances have not been persistent enough to result in a violation of NAAQ standards.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: No impacts to air quality would result from the No Action Alternative.

Cumulative Effects: Impacts would be similar to those described for the action alternative.

Mitigation:

1. Mesa Energy will limit unnecessary emissions from point or nonpoint pollution sources and prevent air quality deterioration from necessary pollution sources in accordance with all applicable state, federal, and local air quality laws and regulations.

2. Mesa Energy will treat all access roads with water and/or a chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.

GEOLOGY AND MINERALS

Affected Environment: The well location is on the southern flank of the Midland anticline (Hail 1973) and has surficial geology of the tertiary lower member of the Fort Union Formation. During drilling, potential water, coal, oil, and gas resources will be encountered from the surface to the targeted zone. CBU 29-12-397 is located in an area identified in the White River ROD/RMP as having high potential for oil and gas and is outside the area identified as suitable for coal leasing. Limited oil and gas exploration has occurred within a two miles radius of the proposed well. This consists of five wells; three plugged and abandoned oil and gas wells, one shut in, and one commercial injection well (COGCC). The nearest oil and gas field development occurs approximately three miles south of the project in the Weber Sand Participating Area COC55102A.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Coal and water zones may be encountered during drilling and cementing isolates the formations and would prevent the migration of gas, water, and oil between formations, including coal zones. Development of this well could deplete the hydrocarbon resources within the drainage acreage associated with reservoir characteristics in the targeted formation.

Cumulative Effects: As stated above, the COGCC database identifies five nonproducing oil and gas wells within a two mile radius of well pad CBU 29-12-397. At a minimum, an additional 24 wells could be required for full field development (320 acre bottom-hole spacing spacing) of the oil and gas resources in the two mile radius. Potential for full development would depend on the reservoir drainage characteristics within the targeted formation. Full field development could deplete the oil and gas resources of the targeted formations.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: The oil and gas resources in the targeted zones would not be developed at this time and would remain available for future recovery.

Cumulative Effects: There would be no contribution to the recovery of oil gas resources.

Mitigation: None.

SOIL RESOURCES

Affected Environment: The classifications of soils within 30 meters of the proposed surface disturbance that could be impacted by the Proposed Action are shown in Table 4. There are no fragile soils or soils prone to landslides on Federal lands that will be impacted by this project. There are about 18 acres of saline soils that will be impacted by the Proposed Action. The pad site is not in saline soils, but the original pad location would have been in saline soils. Therefore the 18 acres are along the access roads and correspond to geological features that have gypsum layers.

Table 4. Soil Classifications within 30 Meters of the Surface Disturbance Proposed and/or the Centerline of Roads.

Soil Classification	Range Site Description	Potentially Impacted Acres
Rentsac-Moyerson-RockOutcrop, complex, 5-65% slopes	PJ Woodlands/ Clayey Slopes	19
Tisworth fine sandy loam, 0-5% slopes	Alkaline Slopes	18
Abor Clay Loam, 5-30% slopes	Clayey Foothills	15
Patent loam, 3-8% slopes	Rolling Loam	10
Badland	None	8
Torrifluvents, gullied	None	3

The pad site is in an area where soils from the badlands to the east of the pad have been deposited. Areas adjacent to these badland areas typically have rapid runoff and higher amounts of water moving through the site due to the low permeability of the badland soils. The access

road is mostly in Rentsac and Moyerson soils with bedrock outcrops and Abor Clay Loams. Most of these soils have high clay content, gypsum layers, and saline or alkaline conditions in some locations. Rentsac and Moyerson soils are derived from sandstone and have medium to rapid runoff characteristics and the hazard for water erosion is moderate to very high. Abor clay loams are derived from shales and also have outcrops of sandstone.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would directly disturb an estimated 6.1 acres for the well pad construction and the entrance road to the pad from the improved access road. Additional disturbance will occur that is associated with the road upgrades (The acreage of potentially effected soils is given in Table 4 and could be up to 73 acres). Impacts to soils outside the 30 meter buffer around surface disturbance is not expected with proper Best Management Practices (BMPs) for stormwater, construction practices, reclamation practices, and the mitigation described below.

Direct impacts from the construction of the well pad and the access road would include soil compaction, removal of vegetation, exposure of subsoil, mixing of soil horizons, loss of topsoil productivity, and an increase in the susceptibility of soils to wind and water erosion. Compaction due to construction activities would reduce aeration, permeability, and water-holding capacities of soils in some locations. Removal of vegetation exposes soils to erosion from rainfall, wind, and surface runoff. Exposure of subsoil and mixing of soil horizons can change the physical characteristics of subsoil and may reduce the productivity of these soils into the future. Loss of topsoil productivity can occur during storage due to nutrient loss through percolation of precipitation through the soils, physical loss and mixing of less productive soil layers during moving, and a loss of structure. An increase in surface runoff and sedimentation could be expected from impacted soils and these soils are likely to be less resilient to erosion from surface runoff after disturbance.

These direct impacts could result in increased indirect impacts to soils off the construction site such as increased runoff and erosion. Implementation of BMPs for stormwater, mitigation, and reclamation will reduce impacts from this project and should limit impacts to the disturbed areas. However, there is the potential for intense storm events and BMP failures resulting in erosion off the site. This is most likely to occur on the steep slopes adjacent to the well pad. Monitoring of areas around the pad as required in the mitigation below should identify any failure of BMPs or unanticipated erosion, and allow a plan to be developed for addressing them.

The Surface Use Plan (SUP) item 4c indicates the traveled portion of the production site would be graveled if necessary prior to construction. Based on the soils in this area, graveling will be necessary and the access road from BLM Road 1509 and traveled portion of the production site should be graveled (see mitigation).

The SUP item 9c indicates that up to six inches of topsoil would be removed. If not enough topsoil is removed for reclamation activities, productivity of soils might be compromised. A minimum of six inches of topsoil should be removed in most locations.

Although this depth may include some soils with characteristics that are not typically considered "topsoil" it typically has weathered material and includes more organic material than subsoils, and therefore is more valuable for reclamation activities. Therefore taking a minimum of six inches of topsoil would likely preserve soils valuable in reclamation.

Two culverts and a low water crossing would be installed on the road as it parallels Colorow Gulch. Two steep sections of the road are illustrated in detailed road designs submitted by Mesa Energy for improving BLM Road 1509. The first would require one culvert, improvements to two cattle guards, two inslope road sections, installation of two water bars and a graveled surface between the waterbars with improved ditches. The second section will use an inslope road surface with an inslope drainage ditch and two water bars with a graveled section between. The gravel for these sections will be three inch pitrun. The access road would require three new culverts. This road design should be evaluated in the field to make sure it is adequate for use after the drilling and completion of the well since it is often used by the public as a major local road for the Crooked Wash area. One important feature to note will be the adequate spacing of cross drains especially on the insloped road sections. Without adequate drainage, erosion of soils adjacent to the roads would be more likely.

Indirect impacts from this project could result in contamination of surface and subsurface soils due to unintentional leaks or spills from construction equipment, storage tanks, and production equipment; if these spills occurred they would affect the productivity of soils. A lined secondary containment ring is planned for future production facilities in the SUP.

Cumulative Effects: Well pads in the general area (Crooked Wash watershed) have been and are likely to continue to be exploratory in nature and would occur on average at one well pad per square mile. Exploratory wells would include surface disturbance for well pads, pipelines, roads and support facilities. Extensive development of oil and gas in this area has not been proposed or is foreseeable at this time. Livestock grazing and dispersed recreation occurs on public and private lands in the area and may reduce canopy cover and lead to localized erosion in some reclamation areas. No other impacts other than oil and gas development, livestock, and recreation are expected in the Crooked Wash watershed. In general, soil disturbance in the Proposed Action and other activities are likely to reduce soil productivity and may lead to increased erosion and instability of soils in local areas.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: No impacts to soils would occur.

Cumulative Effects: Impacts would be similar to those described for the action alternative.

Mitigation:

1. To improve the stability of soils near the pad, the new road construction off BLM road 1509 and the traveled portion of the pad will be graveled by Mesa Energy. All ungraveled areas will be seeded with the exception of areas that may cause a fire danger to production equipment.

2. To assure adequate topsoil is saved for reclamation, a minimum of six inches of topsoil will be salvaged and stored undisturbed, seeded and covered with erosion fabric to preserve soil characteristics for interim reclamation.

3. Due to the nature of the soil conditions on BLM road 1509 and the importance of this road for the public, the road condition and drainage design will be evaluated by the WRFO following drilling and completion activities or at least six months after the well is spudded (whichever is shorter) to make sure the road design and condition are adequate. The Authorized Officer (AO) will inform Mesa Energy if there are any BLM concerns. Mesa Energy will address concerns and implement road improvements (if needed) before the well goes into production or if the well pad is idle for more than 3 months.

4. The travel surface of all access roads will be maintained during construction, drilling, completion and production phases such that this gravel is effective as an all-weather surface.

5. In order to protect rangeland health standards for soils, erosion features such as rilling, gullying, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the AO and by submitting a plan with BMPs to assure successful soil stabilization to address erosion problems.

6. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the AO.

Finding on the Public Land Health Standard #1 for Upland Soils: This action is unlikely to reduce the productivity of soils on public lands.

SURFACE & GROUND WATER QUALITY

Affected Environment: Surface Water: This project is mostly within the Crooked Wash watershed. A portion drains into Smizer Gulch which is also a tributary to the White River. Table 5 describes water segments that may be impacted by this project.

Table 5. Water Quality Classification Table*

Segment	Segment Name
13a	All tributaries to the White River from the confluence with Piceance Creek to Douglas Creek.
12	The mainstem of the White River from Piceance to Douglas Creek

* Colorado Department Of Public Health And Environment, Water Quality Control Commission, Regulation No. 37 Classifications and Numeric Standards For Lower Colorado River Basin, Effective June 30, 2011

Segment 13a describes tributaries to the White River that are protected for warm water aquatic life (Warm 2). The warm designation means the classification standards would be protective of aquatic life normally found in waters where the summer weekly average temperatures frequently exceeds 20 °C. The Warm 2 designation means that it has been determined that these waters are not capable of sustaining a wide variety of warm water biota. Segment 13a is use protected; meaning that an intermediate level of water quality protection applies. The antidegredation review requirements are not applicable for use protected waters and only the numerical protection specified in each reach would apply. This segment also has standards that are protective of recreation and agriculture, but not water supply. Segment 12, White River, is protected for warm water aquatic life (Warm 1). The Warm 1 designation means that it has been determined that these waters are capable of sustaining a wide variety of warm water biota. These segments are also protected for recreation, agriculture, and in the case of the White River, water supply.

Groundwater: Precipitation in this area generally moves from areas of recharge to surface waters via alluvial aquifers and on the surface during spring melt and rain storms. A portion of annual precipitation infiltrates to deeper bedrock aquifers that contribute to contact springs. Springs and ground water inputs generally occur in both bedrock and alluvial aquifers along valley bottoms.

Contact springs are common in the area and are often the result of upper bedrock aquifers consisting of fractured sandstones and shales. Perched groundwater zones occur locally when saturated zones contact differences in permeability and solubility of individual formations. These contact zones can occur in the ridges between surface water drainages and may be manifested as springs and seeps above the valley floor in outcrop areas, especially near the badland soil types.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Surface Waters: Clearing, grading, and soil stockpiling activities associated with the Proposed Action would alter overland flow and natural infiltration patterns. Potential direct impacts include surface soil compaction caused by construction equipment and vehicles, removal of vegetation, and disturbance of surface soils, which would increase rain-splash erosion, reduce the soil's ability to absorb water, and increase the volume and rate of surface runoff, which in turn would increase surface erosion. Steep-sloped hillsides adjacent and along the access roads are the most likely area for this surface erosion to occur. Stormwater measures and BMPs that include periodic monitoring of any erosion problems would be essential to avoid erosion and increased sedimentation to surface waters.

Produced fluids will be trucked to a facility for sale and wastes will be trucked to a Class II injection well. Additional trucking for these fluids will increase truck traffic during the exploration phase as compared to pipeline transportation.

Surface runoff associated with storm events may increase salt and sediment loads in surface waters down gradient of disturbed areas. Salt and sediment can be deposited and stored in minor drainages where it would be moved into the White River during heavy convective storms. Surface erosion for this project is most likely during the construction and early production phases of the project and would be mitigated using BMPs for stormwater.

Groundwaters: Potential freshwater zones that are anticipated within the Mesaverde from 507 ft to 3,600 ft below the surface in the Mesaverde, Rollins and Sego formations. Additional water may be encountered down to the potential gas formations starting in the Niobrara. These zones would be protected by installing surface casing and intermittent casing, and cementing behind these casings to the surface. The well would be cemented behind the production casing as well. The grade of cement used would vary but would be brought up to previously cementing intervals using standard drilling practices and checked to eliminate gaps between cement. Cement protects the well casings from leaking due to deterioration over the life of the well and allows casings to withstand pressure increases during completion and hydrologic fracturing activities.

Loss of drilling fluids may occur at any time in the drilling process due to changes in porosity or other properties of the rock being drilled through for both the surface casing and the production hole. When this occurs, drilling fluids may be introduced into the surrounding formations which could include freshwater aquifers. If drilling fluids are lost to groundwater aquifers, aquifers may be contaminated by drilling additives. Using bentonite, freshwater and other additives that cannot contaminate groundwater mitigates the loss of drilling fluids that can be common during drilling since the introduction of these substances would not impact the quality of groundwater. The operator's drilling plan indicates that freshwater and bentonite will be used to drill the surface casing. The operator would start using drilling additives described as a Gel/Polymer in the drilling plan when the intermediate and the production sections are drilled.

Impacts to groundwater resources could occur due to failure of well integrity, failed cement, surface spills, and/or the loss of drilling, completion and hydraulic fracturing fluids into groundwater. Types of chemical additives used in drilling activities may include acids, hydrocarbons, thickening agents, lubricants, and other additives that are operator and location specific. Concentrations of these additives also vary considerably and are not always known since different mixtures can be used for different purposes in gas development and even in the same well bore. According to COGCC requirements, all chemicals (greater than 500 pounds) used during drilling, completion, and work-over operations, including hydraulic fracturing treatments, will be disclosed in a chemical disclosure form by well site. Also, chemicals and additives used for hydraulic fracturing will be disclosed on the public web site set up for this purpose (http://fracfocus.org).

Hydraulic fracturing is designed to change the producing formations' physical properties by increasing the flow of water and gas around the well bore. Hydraulic fracturing may also introduce chemical additives into the producing formations. Chemical additives used in completion activities would mostly be pumped back out before production. The production zones are between 4,550 to 7,146 feet below the surface.

Left over fluids would be flowed back to the lined reserve pit and trucked to a class II injection well or evaporated before the reserve pit is closed. The reserve pit would be tested before closure to meet COGCC standards and the pit liner would be removed for disposal in a proper facility, probably the Rio Blanco County Landfill. If solid material in the reserve pit does not meet COGCC requirements it would be hauled to a proper disposal facility. Therefore, impacts to shallow groundwater quality from these fluids are not expected.

Known groundwater bearing zones in the project area would be protected by the drilling plan as described. Groundwater resources (including the contact springs, perched aquifers, and groundwater zones described in the Affected Environment) are all in elevations above the surface casing. With proper drilling and completion practices, contamination of groundwater resources is unlikely.

Cumulative Effects: Well pads in the general area (Crooked Wash watershed) have been and are likely to continue to be exploratory in nature and would occur on average at one well pad per square mile based on reasonable foreseeable development estimates. If the well was successful full field development could be at higher density (see the Geology and Minerals Section). Exploratory wells would include surface disturbance for well pads, pipelines, roads and support facilities. Extensive development of oil and gas in this area has not been proposed at this time. Livestock grazing and dispersed recreation occurs on public and private lands in the area and may reduce canopy cover and lead to localized erosion in some reclamation areas. No other impacts other than those associated with oil and gas development, livestock, and recreation are expected in the Crooked Wash watershed. In general, soil disturbance in the Proposed Action and other activities are likely to reduce soil productivity and may lead to increased erosion and increased salt or sedimentation loading.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Neither ground nor surface water quality would be impacted by the No Action Alternative.

Cumulative Effects: Impacts would be similar to those described for the action alternative, but would not include the impacts from the Proposed Action.

Mitigation:

1. To protect surface waters below the project area, keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring run-off and summer convective storms. Provide adequate drainage spacing to avoid accumulation of water in ditches or road surfaces. Install culverts with adequate armoring of inlet and outlet. Patrol areas susceptible to road or watershed damage during periods of high runoff.

2. Locate culverts or drainage dips in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps.

3. When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).

4. Mesa Energy will monitor pits regularly when containing liquid to identify potential leaks. Pits shall be constructed, monitored, and operated to provide for a minimum of two

ft of freeboard at all times and maintain fluids in pits. If the operator believes one of the pits has leaked the AO should be notified immediately and all liquids should be removed and properly disposed of off-site. Mesa Energy will remove all oil from of reserve pits within 24 hours and dispose of it in a proper disposal facility.

5. Mesa Energy shall close the reserve pit within 15 months after the well is drilled. The reserve pits will be allowed to dry through natural evaporation for one four season cycle after the well is drilled. If a pit has not dried by the end of this period, all remaining fluids and/or mud must be removed and disposed of in an approved manner. The concentration of hazardous substances in the reserve pit at the time of pit backfilling must not exceed the standards set forth in CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act of 1980).

Finding on the Public Land Health Standard #5 for Water Quality: It is unlikely that construction of the well pad, the access roads and drilling would result in an exceedence of state water quality standards.

VEGETATION

Affected Environment: The proposed well pad and pipeline are located on badlands and pinyon-juniper (PJ) /clayey slopes ecological sites. Badlands are generally located on steep rolling mountain sides with limited vegetation due to poor soil quality. The proposed well pad is located on the badland ecological site. The access road and pipeline are located on the PJ woodland/clayey slopes ecological sites. The vegetation in this area is primarily PJ overstory with an understory of perennial grasses such as Indian ricegrass (*Achnatherum hymenoides*), beardless wheatgrass(*Pseudoroegneria spicata*), big sagebrush (*Artemisia tridentata)*, junegrass (*Koeleria machrantha*), needle and thread (*Stipa comata*), sandberg bluegrass (*Poa secunda*), and western wheatgrass (*Pascopyrum smithii)*.

Within the vicinity of the Proposed Action, livestock use can be high because of a large pond located approximately 0.25 miles to the south of the project. This area does have an increased level of cheatgrass (*Bromus tectorum*) present within the plant community due to the increased use.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Implementation of the Proposed Action would require the removal of all vegetation on 5.2 acres for the well pad, 0.8 acres for the road, and 0.1 acres for the pipeline for a total of 6.1 acres. Following interim reclamation, there will be only 1.2 acres of long-term disturbance. The disturbed areas would be re-contoured and re-seeded with an approved seed mix to the maximum extent possible leaving just enough area of disturbance for production activities.

Disturbance to soils would create a potential pathway for invasive/non-native species to establish in the project site; combined with heavy cattle use next to the pond, there is a possibility for an increased level of cheatgrass on the project area. Successful reclamation on the project could improve the condition of vegetation communities in the area, but long-term health will depend

on cattle use in the area since it is near an area of common livestock congregation. With successful reclamation the project is anticipated to have no measurable effects on vegetative communities.

Cumulative Effects: The Proposed Action would not add substantially to past, current, or future disturbances within the project area. This project area currently has healthy and diverse plant community composition; therefore the removal of approximately six acres of vegetation is not expected to have any measurable influence on the overall plant community especially with adequate reclamation. The long-term foot-print is only anticipated to be 1.2 acres.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no action authorized that could influence the upland vegetation on these sites.

Cumulative Effects: There would be no additional contribution to previous, existing, or future disturbances under this alternative.

Mitigation:

1. In addition to the design features submitted by the applicant in the SUP, the applicant shall use seed that is certified and free of noxious weeds. All seed tags will be submitted to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended via Sundry Notice (SN). The SN will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number associated with the seeding activity, if applicable, the name of the contractor that performed the work, his or her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), whether the seeding activity represents interim or final reclamation, an estimate of the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

2. Standard Seed Mix 3 will be used for all reclamation activities. Seed rates are shown for drill seeding rates (Table 6) and should be doubled for broadcast application.

Table 6. Native Seed Mix #3.

Variety	Common Name	Scientific Name	Rate (Lbs PLS/acre)
Rosana	Western wheatgrass	*Pascopyrum smithii*	4
Whitmar	Bluebunch wheatgrass	*Pseudoroegneria spicata*	3.5
Rimrock	Indian ricegrass	*Achnatherum hymenoides*	3
	Needle and Thread	*Hesperostipa comata*	2.5
Maple Grove	Lewis Flax	*Linum lewisii*	1
	Scarlet Globemallow	*Sphaeralcea coccinea*	0.5

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: Upland plant communities in the project area currently meet the Standard and are expected to meet the Standard in the future following project implementation and successful reclamation of disturbed areas, as described in the SUP which is incorporated in to the Proposed Action of this document.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: The invasive annual cheatgrass (*Bromus tectorum*) is known to occur within the location of disturbance associated with the Proposed Action, primarily in areas of unrevegetated earthen disturbance in association with roads, pipelines, and well locations. Halogeton (*Halogeton glomeratus*) is also known to occur within the area of the Proposed Action.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would create about six acres of new earthen disturbance; which if not revegetated with desirable species and/or managed with mechanical or chemical methods would be potentially dominated by non-native/invasive cheatgrass, thus increasing the potential for fire and the consequent further proliferation of cheatgrass. Noxious weeds could also spread from the project sites to surrounding native rangelands resulting in a long term negative impact. There is also a risk of new weeds being introduced to the project area during construction if new seeds or propogules are transported onto the site on construction equipment. The resulting increase of noxious weeds/cheatgrass could perpetuate a downward cycle of environmental degradation that would be largely irreversible. There would be a low likelihood of long term negative impact if the design features submitted by the applicant in the SUP are followed.

Cumulative Effects: The Proposed Action would contribute to incremental fragmentation of native plant communities, which puts the area at greater risk for establishment and spread of noxious and invasive weed species. If noxious weeds establish in these plant communities the health of the upland plant communities and the associated ecological function would decline. With timely and successful reclamation the risk of weed establishment and the effects of fragmentation would be minimized.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no action authorized that would influence the native vegetation of this area.

Cumulative Effects: There would be no additional contribution to previous, existing, or future disturbances under this alternative.

Mitigation: None

SPECIAL STATUS ANIMAL SPECIES

Affected Environment: There are no threatened, endangered or candidate animal species that are known to inhabit or derive important use from the project area. The only listed species that has potential to be directly influenced by the Proposed Action is the Colorado pikeminnow. While the species occurs in the White River below Taylor Draw Dam and Kenney Reservoir (approximately 30 valley miles from the project area), the White River and its 100-year floodplain from Rio Blanco Lake to the Utah state line are designated critical habitat for the pikeminnow. The White River in Colorado does not appear to support spawning activity, young-of-year nurseries, or juvenile concentrations areas for the Colorado pikeminnow. Additionally, while the listed bonytail, humpback chub, and razorback sucker do not occur in the White River, water depletions in the White River adversely affect these species' downstream habitats in the Green River.

Several BLM-sensitive animal species are known to inhabit or may be indirectly influenced by the Proposed Action, including Brewer's sparrow, northern goshawk, bald eagle, Townsend's big-eared bat, big free-tailed bat, spotted bat, fringed myotis, flannelmouth sucker, mountain sucker, roundtail chub, and bluehead sucker.

BLM sensitive aquatic species: The roundtail chub and bluehead sucker are confined to the White River. Additionally, flannelmouth and mountain sucker inhabit the White River but also occur in small numbers at the confluence (and up to one mile upstream) of the White River and Crooked Wash.

Northern Goshawk: It is unlikely the open-canopied, shorter stature, even-aged woodlands surrounding the project area provide suitable nest substrate for woodland raptors, particularly northern goshawk. This species typically prefers to nest in contiguous aspen or mixed coniferous forests. Based on BLM's experience, goshawks nest at low densities throughout the Basin in mature PJ woodlands above 6,500 ft and Douglas-fir and aspen stands. The WRFO has about six recent records of goshawk nesting in the Piceance Basin, the nearest being over 15 miles from the project area.

BLM-sensitive bat species: Although the distribution of bats in the WRFO is incompletely understood, recent acoustic surveys in the Piceance Basin and along the lower White River have documented the localized presence of Townsend's big-eared and big free-tailed bats along larger perennial waterways. These bats typically use caves, mines, bridges, and unoccupied buildings for night, nursery, and hibernation roosts, but in western Colorado, single or small groups of bats use rock crevices and tree cavities. Rock outcrops and mature components of PJ which may provide temporary daytime roosts for small numbers of bats are limited in the immediate vicinity of the project area. Relatively extensive riparian communities are available along Crooked Wash (nearly one mile from project area). There are no underground mines or known caves or unoccupied buildings in the vicinity of the project area. Birthing and rearing of young for these bats occur in May and June, and young are capable of flight by the end of July. The big free-tailed bat is not known to breed in Colorado.

Brewer's sparrow: Brewer's sparrows are common and widely distributed in virtually all big sagebrush, greasewood, saltbush, and mixed brush communities throughout the Resource Area. These birds are typically one of the most common members of these avian communities and breeding densities generally range between 10-40 pairs per 100 acres. Although most abundant in extensive stands of sagebrush, the birds appear regularly in small (one to two acre) sagebrush parks scattered among area woodlands and it is extremely likely that the sagebrush communities surrounding the project area provide nesting habitat for this species. Typical of most migratory passerines in this area, nesting activities normally take place between mid-May and mid-July. There are no large expanses of sagebrush communities within the immediate vicinity of the project area.

Bald eagle: The White River corridor is the hub for seasonal bald eagle use of the White River valley. Particularly during the late fall and winter months, several dozen bald eagles make regular foraging use of open upland communities along the river and its larger tributaries. These foraging forays from nocturnal roosts along the White River are dispersed and opportunistic. The nearest known nest location (not active in recent years) is over three miles from the project area.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects:

Endangered Colorado River fish and BLM-sensitive fish species: Cumulative water depletions from the Colorado River Basin are considered likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker and result in the destruction or adverse modification of their critical habitat. In 2008, BLM prepared a Programmatic Biological Assessment (PBA) that addressed water depleting activities associated with BLM's fluid minerals program in the Colorado River Basin in Colorado, including water used for well drilling, hydrostatic testing of pipelines, and dust abatement on roads. In response, the U.S. Fish and Wildlife Service (FWS) prepared a Programmatic Biological Opinion (PBO) that addressed water depletions associated with fluid minerals development on BLM lands. The PBO included reasonable and prudent alternatives which allowed BLM to authorize oil and gas wells that result in water depletion while avoiding the likelihood of jeopardy to the endangered fishes and avoiding destruction or adverse modification of their critical habitat. The reasonable and prudent alternative authorized BLM to solicit a one-time contribution to the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program) in an amount based on the average annual acre-ft depleted by fluid minerals activities on BLM lands. This contribution was ultimately provided to the Recovery Program through an oil and natural gas development trade association. Development associated with this project would be entered into the WRFO fluid minerals water depletion log that is submitted to the Colorado State Office at the end of each Fiscal Year. Implementation of State and federally-imposed design measures to control erosion and spills would limit the risk of contaminants migrating off-site and degrading water quality in the White River.

Northern goshawk/BLM-Sensitive Bat Species: Due to the limited amount of suitable habitat involved, the Proposed Action is not expected to have any conceivable influence on BLM-sensitive bat species northern goshawk breeding activities, nor would it directly involve habitats

that support nesting/roosting functions of these species. Raptor surveys were conducted in September, 2011 (WWE 2011; see discussion in Terrestrial Wildlife). No nests were observed within the woodland habitats nor were any woodland raptors observed.

Brewer's sparrow: The Proposed Action would remove roughly six acres of grassland/open shrubland habitats. Due to the minimal amount of sagebrush involved, the project area likely supports nominal numbers of Brewer's sparrow.

Bald eagle: Bald eagle foraging use is dispersed and opportunistic across the entire White River Resource Area. The nearest known nest/roost location is nearly four miles from the project area. Disturbance/activity associated with the Proposed Action is not anticipated to have any conceivable influence on local bald eagle populations.

Cumulative Effects: Cumulative effects would be similar to those discussed in the *Migratory Bird and Terrestrial Wildlife* sections.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct or indirect impacts to special status animal species under the No Action Alternative.

Cumulative Effects: There would be no contribution to previous or existing disturbances that would potentially impact special status animal species or important habitats under the No Action Alternative.

Mitigation: See *Migratory Bird* section.

Finding on the Public Land Health Standard #4 for Special Status Species: The Land Health Standards for special status animal communities are currently being met in the project area. Neither the Proposed nor No Action Alternatives are expected to detract from continued meeting of these standards.

MIGRATORY BIRDS

Affected Environment: The proposed well pad, pipeline and access road are broadly encompassed by open-canopied PJ woodlands interspersed with low density sagebrush with an understory dominated by various bunchgrass species. Cheatgrass, an annual, invasive species is present throughout the understory as well. These woodland and sagebrush communities provide nesting habitat for a number of bird species during the breeding season (typically mid-May through mid-July).

The BLM lends increased management attention to migratory birds listed by the U.S. Fish and Wildlife Service (FWS) as Birds of Conservation Concern (BCC). These are bird populations that monitoring suggests are undergoing range-wide declining trends and are considered at risk for becoming candidates for listing under the Endangered Species Act (ESA) if not given due consideration in land use decisions.

Three PJ associated species which likely occur in the project area and are considered BCC include juniper titmouse, Cassin's finch, and pinyon jay. The titmouse and finch occur widely in virtually all available woodlands, but at relatively low densities.

Pinyon jays are loosely colonial nesters and are patchily distributed throughout the WRFO's woodlands. This species is reportedly an aggressive and persistent re-nester. BCC associated with sagebrush shrubland habitats is limited to the BLM-sensitive Brewer's sparrow, which is addressed in the Special Status Animal Species section.

The development of reserve pits that contain drilling fluids have attracted waterfowl use, at least during the migratory period (i.e., local records: mid-March through late May; mid-October through late November).

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would initially remove approximately six acres of grassland and low density sagebrush communities with minor PJ involvement. Following natural succession regimes, these communities would take anywhere from one to four years (grassland), 20-30 years (sagebrush) and up to 100 – 400 years (depending on age of PJ) to return to preconstruction conditions following reclamation. Prompt and effective pad and pipeline reclamation would likely enhance forage and cover availability for certain species.

Impacts to migratory birds would vary depending on construction timeframes. Construction during the winter months would effectively avoid any direct impacts to nesting activities. If drilling activities extend into the spring or summer months returning birds would select nest sites in the face of ongoing activities. Should construction activities be initiated during the nesting season (typically mid-May through mid to late-July) there would be greater potential to influence nesting activities/outcomes including bird displacement, nest abandonment and possible nestling mortality. Activities (pad construction, drilling, increased vehicle traffic) which take place during the breeding season may indirectly influence an additional 15 acres of functional forage and nesting habitats due to reductions in nest densities and avoidance of habitats associated with increased human activity, vehicle traffic, and construction activities.

It has been brought to BLM's attention that in certain situations migratory waterfowl have contacted drilling or frac fluids (i.e., stored in reserve pits) during or after completion operations and are suffering mortality in violation of the Migratory Bird Treaty Act. The extent and nature of the problem is not well defined, but is being actively investigated by the federal agencies and the companies. Until the vectors of mortality are better understood, management measures must be conservative and relegated to preventing bird contact with frac and drilling fluids that may pose a problem.

Cumulative Effects: The Proposed Action is not anticipated to add substantially to existing or proposed disturbances. Currently, there is very little oil and gas-related disturbance in or around the project area (the nearest, an abandoned location is over two miles away). The loss of roughly six acres of grassland/open shrubland habitats is not anticipated to have a measureable influence on local bird populations as there is considerable suitable habitat adjacent to the project area. Following interim reclamation, only 1.2 acres would remain disturbed for the

long-term. Prompt and effective reclamation would promote a healthier, diverse plant community which may potentially benefit local wildlife populations as a whole.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct or indirect impacts to migratory bird species or important habitats under the No Action Alternative.

Cumulative Effects: There would be no contribution to previous or existing disturbances under the No Action Alternative.

Mitigation:

1. Vegetation removal associated with well pad, road and pipeline development will take place outside the migratory bird nesting season of May 15 through July 15.

2. The operator shall prevent use by migratory birds of reserve pits that store or are expected to store fluids which may pose a risk to migratory waterfowl, shorebirds, wading birds and raptors during completion and after completion activities have ceased. Methods may include netting or other alternative methods that effectively prevent use and that meet BLM approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to prevent use two weeks prior to when completion activities are expected to begin. The BLM approved method will be applied within 24 hours after completion.

TERRESTRIAL WILDLIFE

Affected Environment: The lower elevation PJ and sagebrush communities that encompass the project area are categorized by Colorado Parks and Wildlife as big game general winter range with severe winter ranges bordering the project area to the west. These ranges typically receive heaviest use from October through April.

Mature components of PJ woodlands and rock outcrops which surround the proposed pad location may provide suitable nest substrate for woodland raptors (accipitrine and buteo species, long-eared and saw-whet owls) and golden eagle. Much of the woodlands surrounding the proposed location are open-canopied, even-aged stands which typically provide less than adequate nesting habitat.

The distribution and abundance of small mammal populations are poorly documented within the Resource Area. Recent trapping efforts undertaken throughout Piceance Basin indicate a high tendency in both sagebrush and PJ communities for more generalized species such as deer mouse and least chipmunk and it is suspected that these species would be relatively abundant in the project area. There are no small mammal species that are narrowly endemic or highly specialized species known to inhabit the project area.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would remove approximately six acres of predominately grassland/open shrubland communities that provide forage and cover resources for local wildlife populations. Following interim reclamation slightly over one acre would remain disturbed for the life of the project.
With successful reclamation, grassland habitats would return to preconstruction conditions within 2 – 4 years. Sagebrush communities could take up to 30 years.

Should construction activities take place during the winter months there would be greater potential to displace big game as both deer and elk tend to congregate in the surrounding lower elevation PJ and grassland/sagebrush habitats during these time frames. Increased vehicle traffic, noise and human activity, particularly during the construction and drilling phase would have the greatest potential to displace local wildlife (contributing to increased energetic demands); however, due to the limited amount of activity in the surrounding area, it is suspected that local big game populations would have adequate forage and cover resources available. Local wildlife would be expected to return to the area once drilling has ceased. Of greater consequence is the fact that the Proposed Action represents a new intrusion in an otherwise undeveloped area, particularly in important big game winter ranges. While development of this one well pad will not likely have substantial influence on local big game populations, future increased and expansive development throughout the area has the potential to negatively impact big game. Full development of the subsurface resource is reasonable but not yet proposed (see also discussion in *Cumulative Impacts of the Proposed Action*).

PJ woodlands and rock outcrops within 0.25 (PJ) and 0.5 miles (cliffs) of the project area were surveyed for raptor use in September, 2011. Three unoccupied nest structures were observed on the adjacent cliffs during surveys. One, likely used in the past by a red-tailed hawk and two which were likely golden eagle showed no signs of use during the past year. No nests were found in woodland habitats. Activities taking place during the winter months would have no direct influence on raptor nesting activities. Should drilling activities extend into early spring, returning birds would select nest sites in the face of ongoing activity. However, this may indirectly influence site selection as birds would likely tend to avoid functional habitats in close proximity to disturbances.

Cumulative Effects: The Proposed Action in and of itself is not anticipated to contribute substantially to existing or proposed disturbances, nor is expected to have any measureable influence on local wildlife populations. While this would represent an incremental loss in big game winter range, there is extremely limited development in the vicinity of the project area (nearest, an abandoned well, is ~ two miles from project area). Although unknown at this time, potential for future development is probable. Important big game wintering ranges south of Rangely and throughout the Piceance Basin have, in the past, or are currently experiencing heavy oil and gas-related development. These winter ranges north of the White River remain one of the few areas with limited oil and gas-related development. Increased and expansive development in this area would be expected to contribute to reductions in important big game wintering habitat with potential negative consequences for local big game populations.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no direct or indirect impacts to terrestrial wildlife species under the No Action Alternative.

Cumulative Effects: There would be no contribution to previous or existing disturbances that would potentially impact terrestrial wildlife species or habitats under the No Action Alternative.

Mitigation:

1. If construction activities are initiated after February 15 a spot check of existing nest locations will be necessary. Should a nest(s) be determined active/occupied, no development activities will be allowed within ¼ mile of nest until August 15 or dispersal of young (WRRA ROD TL-04).

2. Nest sites shall be revisited to determine activity status if construction activities are initiated during the breeding season (approximately February 15 – August 15). If nests are determined to be occupied, appropriate timing stipulations would be applied.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: The Land Health Standards for animal communities are currently being met in the project area. Neither the Proposed nor No Action Alternatives are expected to detract from the continued meeting of the Land Health Standards.

PALEONTOLOGICAL RESOURCES

Affected Environment: The proposed well location and access route are located in an are generally mapped as the Fort Union formation (Tweto 1979) which is currently classified as Potential Fossil Yield Classification (PFYC) 3 but possibly a 4 formation. Currently there is very little inventory, exploration or excavation monitoring data to determine if a higher PFYC rating is appropriate. In other areas of Colorado, the Fort Union formation produces mammals, reptiles, amphibians, fish, and invertebrate fossils (c.f. Armstrong and Wolny 1989).

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: If it becomes necessary to excavate into the underlying sedimentary formation to construct the access road, bury any well tie pipelines, or excavate the reserve/blooie/cuttings pit, there may be a potential to impact scientifically noteworthy fossil resources. Indirect impacts could potentially include erosion that exposes or washes away fossils or increased unauthorized collecting due to increased human activity in the area and the improved access in the area due to the upgraded access route.

Cumulative Effects: If the Proposed Action is approved there is a potential to impact fossil resources which could, depending on the resources impacted, result in an irreversible and irretrievable loss of paleontological and paleo-environmental data for regional paleontological database. With monitoring there is a potential to recover any fossils that might be exposed but, there would still be some loss of date.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no construction or development related impacts to paleontological resources under the No Action Alternative. The natural weather process and occasional human visit to the area would continue as it has for years. Erosion would continue and could slowly expose previously unknown fossil resource which could be vulnerable to collection or loss to erosion. These losses are irreversible and irretrievable but are extremely small and occur as a very slow rate.

Cumulative Effects: The natural weather process and occasional human visit to the area would continue as it has for years. Erosion would continue and could slowly expose previously unknown fossil resource which could be vulnerable to collection or loss to erosion. These losses are irreversible and irretrievable but are extremely small and occur as a very slow rate.

Mitigation:

1. Mesa is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

2. If any paleontological resources are discovered as a result of operations under this authorization, Mesa or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

3. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

VISUAL RESOURCES

Affected Environment: The proposed action is located within an area that has been classified as VRM III. The objective of this classification is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The proposed action will be adjacent to existing roads for the majority of its length. A casual observer traveling along BLM Road 1509 might note the cleared areas, but the visual impact would diminish with time. Seeded vegetation would begin to appear during the first growing season after construction, and, over time, the ROW would be re-populated by adjacent plant communities, taking on the pre-construction character of the ROW. The above ground components of the project will represent a stark, long-term visual contrast to the surrounding area. However with mitigation, the level of change to the characteristic landscape would be moderate, and the objectives of the VRM III classification would be retained.

Cumulative Effects: Combined with other surfacing disturbing oil and gas developments in the area, the project will cumulatively contribute to a larger visual impact.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: As the project would not occur, there would be no impacts.

Cumulative Effects: None have been identified.

Mitigation: The proponent will paint all above ground facilities Juniper Green, from the BLM Standard Environmental Color Chart, CC-001: June 2008.

HAZARDOUS OR SOLID WASTES

Affected Environment: There are no known hazardous or other solid wastes on the subject lands. No hazardous materials are known to have been used, stored, or disposed of at sites included in the project area.

Environmental Consequences of the Proposed Action: Environmental Consequences of the Proposed Action: The proposed activities may use regulated materials and will generate some solid and sanitary wastes. The potential for harm to human health or the environment is presented by the risks associated with spills of fuel, oil and/or hazardous substances used during oil and gas operations. Other accidents and mechanical breakdowns of machinery are also possible.

Substances used in the hydraulic fracturing process may be harmful to human health or the environment. However, freshwater-bearing formations and other resources suitable for human use or consumption are isolated from man-made materials used in oil and gas operations through the use and cementing of surface casing, see 43 CFR §3162.5-2(d).

Environmental Consequences of the No Action Alternative: No hazardous or other solid wastes would be generated under the no-action alternative.

Mitigation:

1. As a reasonable and prudent operator/ROW holder acting in good faith, Mesa will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

2. As a reasonable and prudent operator/ROW holder, acting in good faith, Mesa will provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where Mesa fails, refuses, or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the Mesa's expense plus an additional 25% as per 43 CFR 3163.1 (a)(4). Such action will not relieve Mesa of any liability or responsibility.

3. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.

4. With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, Mesa, and through its agents, employees, subcontractors, successors and assigns, stipulate and agree to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

5. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, oil, or methanol, shall be stored in appropriate containers and in secondary containment systems sized at least 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.

6. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

7. Mesa shall comply with all Federal, State and/or local laws, rules, and regulations, including but not limited to Onshore Orders and Notices to Lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.

8. Through all phases of oil and gas exploration, development, and production, Mesa shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of any substance that poses a risk of harm to human health or the environment.

RANGELAND MANAGEMENT

Affected Environment: The proposed well pad and access route are located within the McAndrews Gulch grazing allotment (06600) and the Blue Haven pasture of the Keystone grazing allotment (06605). Authorized livestock use within the allotments is shown in Tables 7 and 8.

Table 7: Authorized use Within the McAndrews Gulch Allotment (06600)

Livestock		%Public Land	Authorized Use (AUMs)
Number	Kind		
150	Cattle	74	109
250	Cattle	74	1034
260	Cattle	74	481

Table 8: Authorized use within the Blue Haven Pasture of the Keystone Allotment (06605)

Livestock		%Public Land	Authorized Use (AUMs)
Number	Kind		
60	Cattle	72	239
495	Cattle	82	440

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would result in a short-term loss of less than one Animal Unit Months (AUMs) of livestock forage. This initial loss of forage would be considered short term. If revegetation is prompt and effective there would be no net loss of livestock forage over the long term. Following successful revegetation of disturbance associated with the well pad, road and pipeline construction, it is expected that forage available to livestock will increase slightly due to conversion of the disturbed area from a woodland dominated site to a grass/forb site which would potentially have higher forage production value for grazing animals.

Three cattleguards would be crossed along BLM road 1509, the proposed access route. The SUP indicates that any existing cattleguards will be repaired or replaced as necessary as a result of

damage resulting from rig moves. The new access road for the well pad will bisect an existing allotment boundary fence that divides the Keystone allotment and the McAndrews Gulch allotment.

Cumulative Effects: Implementation of the Proposed Action in conjunction with existing and future uses is not expected to impede or affect the proper management of livestock on rangelands within the grazing allotments in which the Proposed Action occurs.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: There would be no change from the present situation.

Cumulative Effects: There would be no vegetation disturbing activities which would contribute to short term reduction of forage within the project area. There would be no potential for damage to range improvement projects as a result of the proposed project.

Mitigation:

1. BLM will provide a new cattle guard, wings and bases, for Mesa Energy to install to replace the existing cattle guard at the intersection of Rio Blanco County road 77 and BLM road 1509.

2. The applicant will provide and install a new cattle guard along the access road where it bisects the allotment boundaries in section 29. This cattle guard will meet BLM specifications and will be installed in a manner to keep livestock from crossing between the two allotments.

REALTY AUTHORIZATIONS

Affected Environment: The off-unit portion of the access road requires a ROW. The following table describes the existing ROWs in the area of the proposed access road.

Table 9. Existing ROWS in the Project Area

Case File	Holder	Authorized Use
COC26085B	ETC Canyon Pipeline, LLC	Natural gas pipeline
COC54858	Sonterra Energy LLC	Access road
COC66436	Dschaak Consulting LLC	Disposal well and access road
COC68753	NC Telecom	Aerial fiber optic cable
COC69536	Sonterra Energy LLC	Natural gas pipeline
COC72907	Rocky Mountain Power	Power line
COC011409	Northwest Pipeline	Natural gas pipeline

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Access road ROW COC75193 would be approximately 10,700 feet long, 50 feet wide, and contain 12.28 acres. The running surface of the access road would be 16 feet; however, the design of the access road will require turnouts, water bars, drainage crossings, etc. Due to the road design features, a width of 50 feet would be authorized

for the access road ROW. Upgrades to the existing BLM road has the potential to intersect ROWs held by other parties. Damage to the facilities or rights of existing ROW holders could occur if construction activities are not properly planned and other ROW facilities are not properly identified prior to construction. Damage to county roads from trenching and heavy equipment use may also occur. If accurate "as built" mapping is not provided to BLM, conflicts may develop in the future with other ROW holders.

Cumulative Effects: As the number of ROW holders in the project area increases so would competition for suitable locations for facilities. Increased ROW densities would also lead to a higher probability of conflict between ROW users.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Failure to authorize the proposed project would not result in any increased impacts to realty authorizations in the area.

Cumulative Effects: There would not be any cumulative effects from not authorizing the proposed project.

Mitigation:

1. All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing facility ROW holders.

2. The holder shall provide the BLM AO with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in Universal Transverse Mercator (UTM) Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

3. Construction activity should take place entirely within the areas authorized in the ROW grants and temporary use permit.

4. At least 90 days prior to termination of the ROW, the holder shall contact the AO to arrange a joint inspection of the ROW. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall

include, but is not limited to, removal of facilities, drainage structures, and surface material (e.g., gravel or concrete), as well as final recontouring, spreading of topsoil, and seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

5. For the purpose of determining joint maintenance responsibilities, the holder shall make road use plans known to all other authorized users of the common access road. Upon request, the AO shall be provided with copies of any maintenance agreement entered into.

RECREATION

Affected Environment: The Proposed Action occurs within the White River Extensive Recreation Management Area (ERMA). BLM custodially manages the ERMA to provide for unstructured recreation activities such as hunting, dispersed camping, hiking, horseback riding, wildlife viewing, and off-highway vehicle use. Many campsites are used during the fall hunting seasons (August through December) and are adjacent to both BLM 1509 and RBC 77. The majority of recreation occurring in the project area is dispersed big game hunting and occurs mainly during the fall.

The project area has delineated a Recreation Opportunity Spectrum (ROS) class of Semi-Primitive Motorized (SPM). SPM physical and social recreation setting is typically characterized by a natural appearing environment with few administrative controls, and low interaction between users but evidence of other users may be present. A SPM recreation experience is characterized by a probability of isolation from the sights and sounds of humans that offers an environment of challenge and risk.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: If the proposed action coincides with big game hunting seasons (August through December) there is a chance that it would disrupt and potentially negatively impact the experience sought by those recreationists. Any disruptions in big game movement due to construction would also negatively impact the hunting experience. For further discussion on impacts to big game, please see *Terrestrial Wildlife*. Additionally, campsites may be made inaccessible if pipeline installation occurs during the big game hunting season.

Cumulative Effects: Combined with other on-going oil and gas development activities in the area, there may cumulatively be a negative impact on the recreation experience to recreationists during the big game hunting season.

Mitigation: The proponent will attempt to avoid construction during fall big game hunting season.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: As no project activities would occur, no impacts are expected.

Cumulative Effects: None identified.

Mitigation: None.

ACCESS AND TRANSPORTATION

Affected Environment: Primary access to the project area is via State Highway 64 and RBC 77. The Proposed Action parallels portions of BLM Road 1509 for approximately 3 miles and requires the construction of approximately 620 feet of new access road. Public travel of BLM Road 1509 is generally low in spring and summer months and increases dramatically during fall hunting seasons (August through December). BLM 1509 is a native surface route thereby susceptible to significant rutting due to traffic combined with high soil moisture conditions after precipitation and spring thaw.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: If BLM Road 1509 is wet during construction periods, roads may become rutted or slick, making roads impassable to most public users. Road damage may occur due to rutting and/or erosion. If upgrades to BLM Road 1509, pursuant to BLM Manual Section 9113, require that traffic is restricted during construction, this may present impacts to other road users.

Cumulative Effects: Combined with other oil and gas development activities in the area, there may be a temporary, cumulative increase in heavy truck traffic along RBC Road 77 and BLM Road 1509 during construction.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: As there would be no project, no effects would be anticipated.

Cumulative Effects: None identified.

Mitigation: BLM Road 1509 will be maintained by the project proponent during pipeline construction to assure public travel can continue in a safe manner. Road should be graded to BLM standards if road damage occurs due to pipeline construction. The proponent will ensure that BLM Road 1509 remains open to public traffic at all times during construction, with vehicle delays of no longer than 15 minutes at any one time.

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2010 Colorado Department Of Public Health And Environment, Water Quality Control Commission, Regulation No. 93 Colorado's Section 303(D) List of Impaired Waters and Monitoring and Evaluation List, Effective April 30, 2010. (Accessed 1/16/2012)

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2001 Class III Cultural Resources Inventory for the Proposed Coyote Basin 29-12-397 Well Location and Short Linear Route in Rio Blanco County, Colorado for Mesa Energy partners, LLC. Grand River Institute, Grand Junction, Colorado. (11-11-35: SHPO # RB.LM.NR2282)

Tweto, Ogden
1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

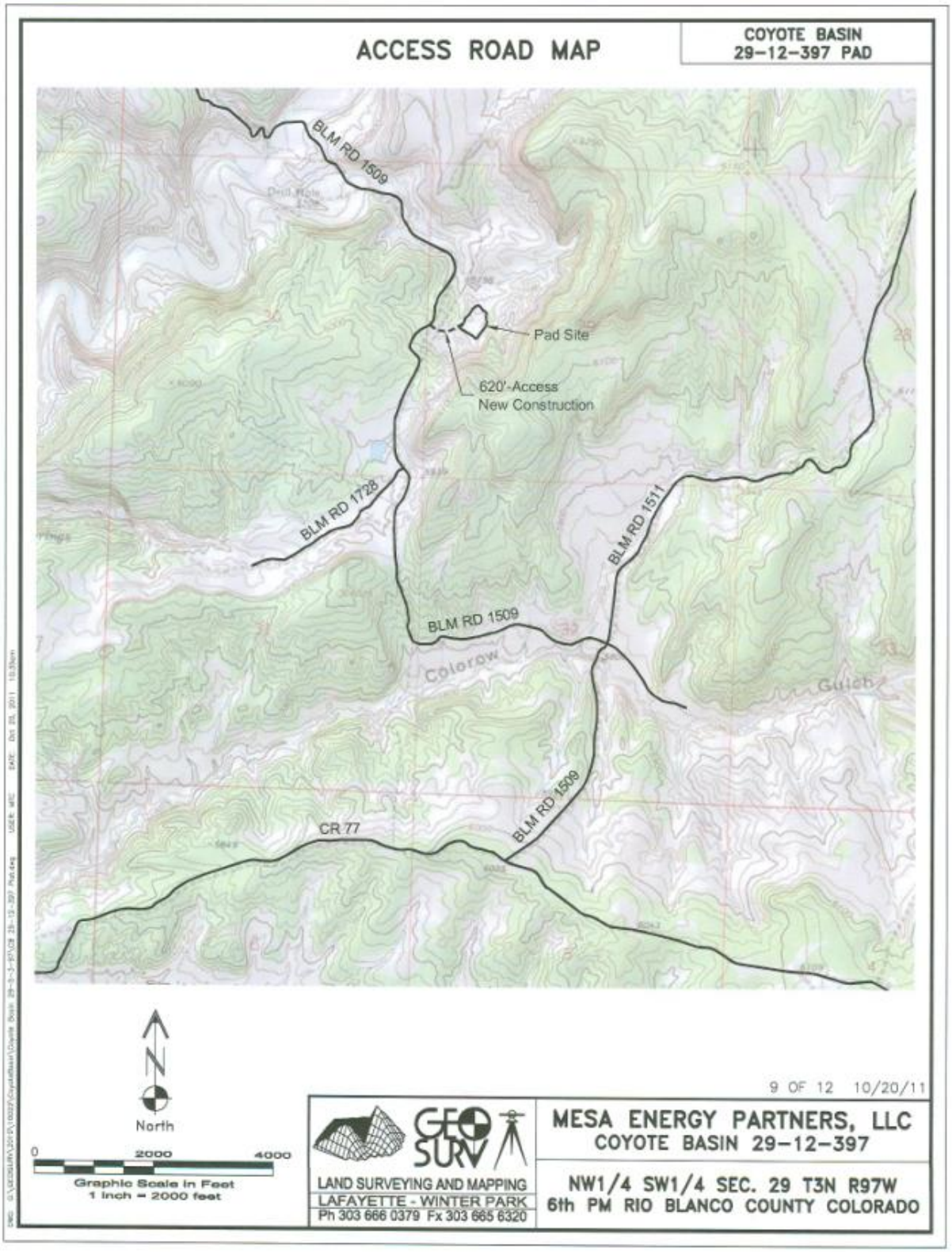
INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Signed
Bob Lange	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils	1/20/2012
Zoe Miller	Ecologist	Areas of Critical Environmental Concern; Special Status Plant Species; Forest Management	1/12/2012
Michael Selle	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontological Resources	12/7/2011

Name	Title	Area of Responsibility	Date Signed
Matthew Dupire	Rangeland Management Specialist	Invasive, Non-Native Species; Vegetation; Rangeland Management	1/12/2012
Lisa Belmonte	Wildlife Biologist	Migratory Birds; Special Status Animal Species; Terrestrial and Aquatic Wildlife; Wetlands and Riparian Zones	1/13/2012
Christina Barlow	Natural Resource Specialist	Hazardous or Solid Wastes	11/24/2012
Chad Schneckenburger	Outdoor Recreation Planner	Wilderness; Visual Resources; Access and Transportation; Recreation,	1/19/2012
Kyle Frary	Fuels Specialist	Fire Management	1/17/2012
Paul Daggett	Mining Engineer	Geology and Minerals	1/9/2012
Stacey Burke	Realty Specialist	Realty	1/5/2012
Matthew Dupire	Rangeland Management Specialist	Wild Horse Management	1/12/2012
Christina Barlow	Natural Resource Specialist	Project Lead – Document Preparer	11/24/2012

ATTACHMENTS:

Figure 1: Map of the Project


ACCESS ROAD MAP
COYOTE BASIN
29-12-397 PAD
BLM RD 1509
Pad Site
620'-Access
New Construction
BLM RD 1728
BLM RD 1511
BLM RD 1509
Colorow
Gulch
BLM RD 1509
CR 77
North
0
2000
4000
Graphic Scale in Feet
1 inch = 2000 feet
9 OF 12 10/20/11
GEO SURV
LAND SURVEYING AND MAPPING
LAFAYETTE - WINTER PARK
Ph 303 666 0379 Fx 303 665 6320
MESA ENERGY PARTNERS, LLC
COYOTE BASIN 29-12-397
NW1/4 SW1/4 SEC. 29 T3N R97W
6th PM RIO BLANCO COUNTY COLORADO

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

Finding of No Significant Impact (FONSI)

DOI-BLM-CO-110-2012-0013-EA

BACKGROUND

Mesa Energy Partners LLC (Mesa, the operator) proposes to construct a 5.2 acre well pad and a 620ft road with a 50ft Right-of-Way (0.71 acre) to be paralleled by 0.44 acres of disturbance for installation of pipeline to service the proposed well. A total of 6.35 acres of surface disturbance would initially result with the implementation of the Proposed Action. The area of the well pad not needed for reclamation would be reclaimed within six months of well completion and/or plugging, reducing the surface disturbance of the well pad to one acre. The sides of the access road would be immediately stabilized after its 16 ft running surface is used to install the pipeline. Approximately 1.23 acres of surface disturbance would be visible in the leased area for the life of the project. Following well abandonment, the operator proposes to reclaim all disturbed surfaces to pre-disturbance conditions.

FINDING OF NO SIGNFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

Context

The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance. The lease area is relatively undeveloped so any impacts would be considered local, low intensity, and of short-duration.

Intensity

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse.

The site location for the proposed well has been described as having a component of invasive, annual cheatgrass. Proper and effective implementation of the proposed reclamation techniques could provide beneficial diversity to the currently existing plant community. While potentially harmful chemicals and additives may be used during drilling and completions operations, there is a possibility they could be released in volumes that could adversely affect human health or the environment; however, the proponent provides for safe containment and disposal of each type of

potential waste, and the use of these materials are expected to enhance the beneficial recovery of the natural gas resource.

2. The degree to which the Proposed Action affects public health or safety.
There would be no impact to public health and safety if the safety measures described in the operator's drilling plan and SUP are properly implemented, and the developed mitigation is adhered to.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. No wetlands, prime farmlands, parklands, or scenic rivers occur in the project area. A Class III Cultural Resource inventory identified no eligible cultural resources in the proposed areas of disturbance.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial. No comments or concerns have been received regarding possible effects on the quality of the human environment during the public comment period.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.
No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. Similar proposals to drill have been evaluated and approved, so authorization to drill the proposed well would not set a precedent for future actions.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Rangeland used for livestock grazing has been described as populated with cheatgrass; implementation of the Proposed Action alone would not substantially contribute to the quality of the rangeland resources but an increase in construction-related oil and gas activities (reasonable but not yet proposed or speculated for the project area) could cumulatively result in irreversible changes to plant species composition. The winter ranges north of the White River remain one of the few areas with limited oil and gas-related development. Increased and expansive development in this area would be expected to contribute to reductions in important big game wintering habitat with potential cumulative consequences for local big game populations.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. A Class III inventory identified no new cultural resources in the proposed project area. Mitigation for cultural resources that may be exposed due to natural weathering has been provided in the Decision Record.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973. No special status plant species concerns have been identified. Cumulative water depletions from the Colorado River Basin are considered likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker and result in the destruction or adverse modification of their critical habitat. In 2008, BLM prepared a Programmatic Biological Assessment (PBA) that addressed water depleting activities associated with BLM's fluid minerals program in the Colorado River Basin in Colorado, including water used for well drilling, hydrostatic testing of pipelines, and dust abatement on roads. In response, the U.S. Fish and Wildlife Service (FWS) prepared a Programmatic Biological Opinion (PBO) that addressed water depletions associated with fluid minerals development on BLM lands. The PBO included reasonable and prudent alternatives which allowed BLM to authorize oil and gas wells that result in water depletion while avoiding the likelihood of jeopardy to the endangered fishes and avoiding destruction or adverse modification of their critical habitat. The reasonable and prudent alternative authorized BLM to solicit a one-time contribution to the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program) in an amount based on the average annual acre-ft depleted by fluid minerals activities on BLM lands. This contribution was ultimately provided to the Recovery Program through an oil and natural gas development trade association. Development associated with this project would be entered into the WRFO fluid minerals water depletion log that is submitted to the Colorado State Office at the end of each Fiscal Year.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.
Neither the Proposed Action nor impacts associated with it violate any laws or requirements imposed for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL: Kent E Walter
Field Manager

DATE SIGNED: 01/27/2012

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

DECISION RECORD

PROJECT NAME: Mesa Energy 29-12-397 Well

ENVIRONMENTAL ASSESSMENT NUMBER: DOI-BLM-CO-2012-0013-EA

DECISION

It is my decision to implement the Proposed Action (Alternative A), as mitigated in DOI-BLM-CO-2012-0013-EA, authorizing the construction, operation, and maintenance of Mesa Energy Partners LLC's proposed BCU 29-12-397 well.

Mitigation Measures

Air Quality

1. Mesa Energy will limit unnecessary emissions from point or nonpoint pollution sources and prevent air quality deterioration from necessary pollution sources in accordance with all applicable state, federal, and local air quality laws and regulations.
2. Mesa Energy will treat all access roads with water and/or a chemical dust suppressant during construction and drilling activities so that there is not a visible dust trail behind vehicles. Any technique other than the use of freshwater as a dust suppressant on BLM lands will require prior written approval from BLM.

Soil Resources

3. To improve the stability of soils near the pad, the new road construction off BLM road 1509 and the traveled portion of the pad will be graveled by Mesa Energy. All ungraveled areas will be seeded with the exception of areas that may cause a fire danger to production equipment.
4. To assure adequate topsoil is saved for reclamation, a minimum of six inches of topsoil will be salvaged and stored undisturbed, seeded and covered with erosion fabric to preserve soil characteristics for interim reclamation.
5. Due to the nature of the soil conditions on BLM road 1509 and the importance of this road for the public, the road condition and drainage design will be evaluated by the WRFO following drilling and completion activities or at least six months after the well is spudded (whichever is shorter) to make sure the road design and condition are adequate. The Authorized Officer (AO) will inform Mesa Energy if there are any BLM concerns. Mesa Energy will address concerns and implement road improvements (if needed) before the well goes into production or if the well pad is idle for more than 3 months.
6. The travel surface of all access roads will be maintained during construction, drilling, completion and production phases such that this gravel is effective as an all-weather surface.

7. In order to protect rangeland health standards for soils, erosion features such as rilling, gullying, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the AO and by submitting a plan with BMPs to assure successful soil stabilization to address erosion problems.
8. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless approved by the AO.

Surface and Ground Water Quality

9. To protect surface waters below the project area, keep road inlet and outlet ditches, sediment retention basins, and culverts free of obstructions, particularly before and during spring run-off and summer convective storms. Provide adequate drainage spacing to avoid accumulation of water in ditches or road surfaces. Install culverts with adequate armoring of inlet and outlet. Patrol areas susceptible to road or watershed damage during periods of high runoff.
10. Locate culverts or drainage dips in such a manner as to avoid discharge onto unstable terrain such as headwalls or slumps.
11. When drilling to set the surface casing, drilling fluid will be composed only of fresh water, bentonite, and/or a benign lost circulation material that does not pose a risk of harm to human health or the environment (e.g., cedar bark, shredded cane stalks, mineral fiber and hair, mica flakes, ground and sized limestone or marble, wood, nut hulls, corncobs, or cotton hulls).
12. Mesa Energy will monitor pits regularly when containing liquid to identify potential leaks. Pits shall be constructed, monitored, and operated to provide for a minimum of two ft of freeboard at all times and maintain fluids in pits. If the operator believes one of the pits has leaked the AO should be notified immediately and all liquids should be removed and properly disposed of off-site. Mesa Energy will remove all oil from of reserve pits within 24 hours and dispose of it in a proper disposal facility.
13. Mesa Energy shall close the reserve pit within 15 months after the well is drilled. The reserve pits will be allowed to dry through natural evaporation for one four season cycle after the well is drilled. If a pit has not dried by the end of this period, all remaining fluids and/or mud must be removed and disposed of in an approved manner. The concentration of hazardous substances in the reserve pit at the time of pit backfilling must not exceed the standards set forth in CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act of 1980).

Vegetation

14. In addition to the design features submitted by the applicant in the SUP, the applicant shall use seed that is certified and free of noxious weeds. All seed tags will be submitted to the designated Natural Resource Specialist within 14 calendar days from the time the seeding activities have ended via Sundry Notice (SN). The SN will include the purpose of the seeding activity (i.e., seeding well pad cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number associated with the seeding activity, if applicable, the name of the contractor that performed the work, his or her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), whether the seeding activity represents interim or final reclamation, an estimate of the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

15. Standard Seed Mix 3 will be used for all reclamation activities. Seed rates are shown for drill seeding rates and should be doubled for broadcast application.

Native Seed Mix #3.

Variety	Common Name	Scientific Name	Rate (Lbs PLS/acre)
Rosana	Western wheatgrass	*Pascopyrum smithii*	4
Whitmar	Bluebunch wheatgrass	*Pseudoroegneria spicata*	3.5
Rimrock	Indian ricegrass	*Achnatherum hymenoides*	3
	Needle and Thread	*Hesperostipa comata*	2.5
Maple Grove	Lewis Flax	*Linum lewisii*	1
	Scarlet Globemallow	*Sphaeralcea coccinea*	0.5

Migratory Birds

16. Vegetation removal associated with well pad, road and pipeline development will take place outside the migratory bird nesting season of May 15 through July 15.
17. The operator shall prevent use by migratory birds of reserve pits that store or are expected to store fluids which may pose a risk to migratory waterfowl, shorebirds, wading birds and raptors during completion and after completion activities have ceased. Methods may include netting or other alternative methods that effectively prevent use and that meet BLM approval. It will be the responsibility of the operator to notify the BLM of the method that will be used to prevent use two weeks prior to when completion activities are expected to begin. The BLM approved method will be applied within 24 hours after completion.

Wildlife

18. If construction activities are initiated after February 15 a spot check of existing nest locations will be necessary. Should a nest(s) be determined active/occupied, no development activities will be allowed within ¼ mile of nest until August 15 or dispersal of young (WRRA ROD TL-04).

19. Nest sites shall be revisited to determine activity status if construction activities are initiated during the breeding season (approximately February 15 – August 15). If nests are determined to be occupied, appropriate timing stipulations would be applied.

Cultural Resources

20. Mesa is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
21. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. Mesa will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation

with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. Mesa, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

22. Pursuant to 43 CFR 10.4(g), Mesa must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), Mesa must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

Paleontological Resources

23. Mesa is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
24. If any paleontological resources are discovered as a result of operations under this authorization, Mesa or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
25. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

Visual Resources

26. The proponent will paint all above ground facilities Juniper Green, from the BLM Standard Environmental Color Chart, CC-001: June 2008.

Hazardous and Solid Wastes

27. As a reasonable and prudent operator/ROW holder acting in good faith, Mesa will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.
28. As a reasonable and prudent operator/ROW holder, acting in good faith, Mesa will provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where Mesa fails, refuses, or neglects to provide for the immediate clean-up and

testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the Mesa's expense plus an additional 25% as per 43 CFR 3163.1 (a)(4). Such action will not relieve Mesa of any liability or responsibility.

29. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the BLM WRFO.
30. With the acceptance of this authorization, the commencement of operations under this authorization, or within thirty calendar days from the issuance of this authorization, whichever occurs first, Mesa, and through its agents, employees, subcontractors, successors and assigns, stipulate and agree to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.
31. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, oil, or methanol, shall be stored in appropriate containers and in secondary containment systems sized at least 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
32. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
33. Mesa shall comply with all Federal, State and/or local laws, rules, and regulations, including but not limited to Onshore Orders and Notices to Lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
34. Through all phases of oil and gas exploration, development, and production, Mesa shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing: 1) emissions, 2) fresh water use, and 3) utilization, production, and release of any substance that poses a risk of harm to human health or the environment.

Rangeland Management

35. BLM will provide a new cattle guard, wings and bases, for Mesa Energy to install to replace the existing cattle guard at the intersection of Rio Blanco County road 77 and BLM road 1509.
36. The applicant will provide and install a new cattle guard along the access road where it bisects the allotment boundaries in section 29. This cattle guard will meet BLM specifications and will be installed in a manner to keep livestock from crossing between the two allotments.

Realty Authorizations

37. All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation

measures required by each permit, and effectively coordinating with existing facility ROW holders.

38. The holder shall provide the BLM AO with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in Universal Transverse Mercator (UTM) Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.
39. Construction activity should take place entirely within the areas authorized in the ROW grants and temporary use permit.
40. At least 90 days prior to termination of the ROW, the holder shall contact the AO to arrange a joint inspection of the ROW. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material (e.g., gravel or concrete), as well as final recontouring, spreading of topsoil, and seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
41. For the purpose of determining joint maintenance responsibilities, the holder shall make road use plans known to all other authorized users of the common access road. Upon request, the AO shall be provided with copies of any maintenance agreement entered into.

Access and Transportation

42. BLM Road 1509 will be maintained by the project proponent during pipeline construction to assure public travel can continue in a safe manner. Road should be graded to BLM standards if road damage occurs due to pipeline construction. The proponent will ensure that BLM Road 1509 remains open to public traffic at all times during construction, with vehicle delays of no longer than 15 minutes at any one time.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

ENVIRONMENTAL ANALYSIS AND FINDING OF NO SIGNIFICANT IMPACT

The Proposed Action was analyzed in DOI-BLM-CO-2012-0013-EA and it was found to have no significant impacts, thus an EIS is not required.

PUBLIC INVOLVEMENT

Scoping was the primary mechanism used by the BLM to initially identify issues. Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 11/14/2011. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 11/15/2011.

RATIONALE

Analysis of the Proposed Action has concluded that there are no significant negative impacts and that it meets Colorado Standards for Public Land Health.

ADMINISTRATIVE REMEDIES

State Director Review

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL: Kent T. Walter
Field Manager

DATE SIGNED: 01/27/2012